

IN THE COURT OF COMMON PLEAS

SUMMIT COUNTY, OHIO

- - -

STATE OF OHIO, ex rel,)

ROBERT SMITH,)

Plaintiff,)

vs.) Case CV09-04-3107

CITY OF AKRON,)

Defendant.)

- - -

Deposition of MELISSA K. BARNHART, a
Witness herein, called by the Plaintiff for
cross-examination pursuant to the Ohio Rules
of Civil Procedure, taken before me, the
undersigned, Michael G. Cotterman, a Notary
Public in and for the State of Ohio, at 202
Ocasek Government Building, 161 South High
Street, Akron, Ohio, on Thursday, the 1st day
of September, 2011, at 2:00 o'clock p.m.

BISH & ASSOCIATES, LLC
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2 APPEARANCES: On Behalf of the Plaintiff: Novak, Robenalt & Pavlik By: Scott D. Perlmutter, Att. at Law 950 Skylight Office Tower 1660 West Second Street Cleveland, Ohio 44113 216-781-8700 On Behalf of the Defendant: Akron Law Department By: Deborah M. Forfia, Att. at Law Janet Ciotola, Att. at Law 202 Ocasek Government Building 161 South High Street Akron, Ohio 44308 330-375-2030 On Behalf of the Witness: Norris & Norris By: Andrea L. Norris, Att. at Law 4367 State Road Akron, Ohio 44319 330-644-0706 - - -	4 1 MELISSA K. BARNHART 2 of lawful age, a Witness herein, called for 3 examination, as provided by the Rules of 4 Civil Procedure, being by me first duly 5 sworn, as hereinafter certified, deposed and 6 said as follows: 7 - - - 8 CROSS-EXAMINATION 9 BY MR. PERLMUTER: 10 Q. Could you state your name for the 11 record? 12 A. Melissa K. Barnhart. 13 Q. My name is Scott Perlmutter, we met 14 briefly before the deposition, I represent 15 Robert Smith in a case he filed against the 16 City of Akron with regard to some public 17 records and you're here today as a witness. 18 Have you ever had your deposition taken 19 before? 20 A. Yes. 21 Q. So you know the process. I'm sure 22 your attorney went over it with you but if I 23 ask you a question you don't understand, let 24 me know, because everything you say today is 25 going to be under oath and taken down by the																
3 I N D E X <table border="0"> <tr> <td style="text-align: right;">Exhibit No.</td> <td style="text-align: left;">Page/Line</td> </tr> <tr> <td colspan="2">(No exhibits marked.)</td> </tr> <tr> <td colspan="2" style="text-align: center;">- - -</td> </tr> <tr> <td style="text-align: right;">Examination By:</td> <td style="text-align: left;">Page/Line</td> </tr> <tr> <td style="text-align: right;">MR. PERLMUTER</td> <td style="text-align: left;">4 / 9</td> </tr> <tr> <td style="text-align: right;">MS. FORFIA</td> <td style="text-align: left;">-- / --</td> </tr> <tr> <td style="text-align: right;">MS. NORRIS</td> <td style="text-align: left;">-- / --</td> </tr> <tr> <td colspan="2" style="text-align: center;">- - -</td> </tr> </table>	Exhibit No.	Page/Line	(No exhibits marked.)		- - -		Examination By:	Page/Line	MR. PERLMUTER	4 / 9	MS. FORFIA	-- / --	MS. NORRIS	-- / --	- - -		5 1 court reporter to be used in evidence in this 2 case so I want to make sure you understand my 3 questions. 4 A. Okay. 5 Q. And try not to talk over each other, 6 that's a good ground rule because he's going 7 to take down everything we say. And give 8 verbal responses, don't shake your head, loud 9 enough for him to hear. 10 A. Yes. 11 Q. If you will state your home address? 12 A. 1180 West Exchange. 13 Q. How long have you lived there? 14 A. Akron 44313. 15 Q. How long have you lived there? 16 A. I believe three years. 17 Q. Who do you live there with? 18 A. Myself. 19 Q. Did Mayor Plusquellic formerly live 20 there with you? 21 A. He did. 22 A. When did he move out? 23 A. I believe November of '09. 24 Q. Do you have any plans to move? 25 A. I just put my house up for sale.
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6 1 Q. Okay. Where are you moving? 2 A. I'm not sure. 3 Q. Okay. Why are you moving? 4 A. Because I travel for my job all over 5 the state and I'm just not there that often, 6 so... And I'm not an anxious seller, I just 7 put it up so I don't have any plans where I'm 8 going to live, I'm not sure. 9 Q. So you're going to look for another 10 place once you get a potential buyer? 11 A. That's correct. I have a place in 12 Columbus as well. 13 Q. What's the address there? 14 A. It's Arena Crossing Apartments, 15 Nationwide Boulevard. 16 Q. What's the address? 17 A. I actually don't even know it. 18 Q. Okay. Arena Crossing? 19 A. Yes, Unit 207. 20 Q. You said Arena Crossing Apartments on 21 Nationwide Boulevard? 22 A. Uh-huh. 23 Q. That's a yes? 24 A. Yes, Unit 207. 25 Q. What do you do for a living?	8 1 A. On and off since 1994. 2 Q. Who did you talk to about this 3 deposition before the deposition other than 4 your attorney? 5 A. Just my attorney. 6 Q. Did you have a meeting with the City 7 of Akron attorneys? 8 A. No. 9 Q. Did you ever talk to Mayor 10 Plusquellic about it? 11 A. No. 12 Q. Have you ever talked to him about 13 this case? 14 A. No, I haven't talked to him since 15 November of '09. 16 Q. Have you talked to anyone about this 17 case other than your attorney? 18 A. No. 19 Q. At some point you worked for Mayor 20 Plusquellic; is that right? 21 A. In '03. 22 Q. In what capacity? 23 A. I ran his campaign. 24 Q. That was just through 2003? 25 A. That's correct.
7 1 A. Political consultant. 2 Q. Who do you work for? 3 A. I have several different clients all 4 over the state. 5 Q. Who are they? 6 A. Mayor Healy in Canton, Ohio. Sheriff 7 Scott, Zach Scott, in Franklin County. 8 Q. Is that it? 9 A. Linda Omobien, municipal clerk of 10 courts. 11 Q. In Franklin County? 12 A. No, here in Summit County. And then 13 Stephen Dyer for judge here in Summit County 14 and the Franklin County Democratic Party. 15 Q. Do you work for yourself, do you have 16 your own company? 17 A. Yes, I have my own, up until, I 18 worked for the Ohio Democratic Party until 19 January and then I formed my own LLC. 20 Q. What's the name of that LLC? 21 A. RMB Consulting. 22 Q. And prior to that the Democratic 23 Party you said? 24 A. Correct. 25 Q. How long did you work there?	9 1 Q. What about -- 2 A. That's to be paid for. I obviously 3 volunteered and did things but I was not paid 4 for it. 5 Q. In 2007? 6 A. In '07. 7 Q. Have you ever been employed by the 8 City of Akron? 9 A. No. 10 Q. Have you ever worked for the City of 11 Akron in any regard? 12 A. I volunteered when we went on trips 13 and things, working booths for the city, 14 things such as that, but no, I never worked 15 for them. 16 Q. Have you worked in any other field 17 throughout your career other than political 18 consulting? 19 A. I worked for the Ohio House of 20 Representatives, the Ohio Senate, the Ohio 21 Auditor. 22 Q. In what capacity? 23 MS. NORRIS: Which job? 24 BY MR. PERLMUTER: 25 Q. One by one?

10 1 A. I was a page in the Ohio House of 2 Representatives, I don't remember my title at 3 the Ohio Senate, that was in '96, a 4 legislative aide in the Ohio Senate and press 5 in the Ohio Auditor's Office. 6 Q. You did press or PR? 7 A. It was 1994, I can't remember the 8 title but I was in the press department. 9 Q. Okay. And so since what time have 10 you been just a political consultant? 11 A. July of '97 I believe. 12 Q. You dated Mayor Plusquellic for a 13 period of time? 14 A. I did. 15 Q. What time period was that? 16 A. I believe late '05 to November of 17 '09. 18 Q. As you sit here today could you list 19 every trip that you took out of state with 20 Mayor Plusquellic? 21 A. No. 22 Q. Do any of them stick out in your 23 memory? 24 A. There were several so I'm not sure 25 what you mean.	12 1 those were the trips that I would do the 2 volunteer kind of working the booth every 3 day. 4 Q. So for instance in Germany at the 5 trade fair, what kind of work were you 6 doing? 7 A. I would go man booths, go over and 8 essentially accept business cards, take down 9 contacts, get leads and then introduce the 10 person to either Bob Bowman or Mayor 11 Plusquellic. 12 Q. The trip you went on with the mayor 13 to Germany, was it just Germany? 14 A. I believe we added a trip that we 15 paid for separately. 16 Q. Where was that to? 17 A. I think France, I'm pretty sure. 18 Q. Did you pay for your portion? 19 A. Yes, always. I paid my own way for 20 the trips, paid my own way and volunteered on 21 the trips to Germany and Israel. 22 Q. Okay. Do you have documentation of 23 those payments? 24 A. I do. 25 Q. So when you say that you manned the
11 1 Q. Well, can you list the trips that you 2 took with the mayor on Akron business out of 3 state? 4 A. I could put together a list out of 5 memory, I'm not sure if it would be complete. 6 Q. As you sit here what trips do you 7 recall taking with him? 8 A. Germany. 9 Q. When was that roughly? 10 A. I really don't know. Israel. 11 Q. When you went to Germany was that 12 before or after the re-election? 13 A. I really don't remember. I travel 14 also for my job so I'm on the road quite a 15 bit through just my work so I don't remember 16 which is which or the year. 17 Q. Okay. Well, I just want to talk 18 about trips that you can recall taking with 19 Mayor Plusquellic. So you went to Israel, do 20 you remember the time frame? 21 A. I don't. 22 Q. Do you remember what was done on any 23 of these trips, what the mayor was there for? 24 A. They were trade fairs that he went 25 on, obviously in his capacity as mayor, and	13 1 booth, you said it was with Mr. Bowman and 2 the mayor? 3 A. No, actually what happens, I don't 4 know if you've ever been to a trade fair but 5 each city or company has a booth, the mayor 6 or Bob Bowman is whom I'm directing leads to 7 to bring business to the City of Akron. 8 So I would stay at this booth 9 and then people would come to us to say we'd 10 like to know some information about the City 11 of Akron, we may have a company that wants to 12 move here, so then I would take down the 13 information and then set up appointments for 14 Bob or for Mayor Plusquellic to come back or 15 for them to go to their booth. 16 Q. Did you receive training on this 17 whole process? 18 A. It's volunteer, people volunteer to 19 do it, but no, I've done them for years. 20 Q. I guess how did you know how to sell 21 the City of Akron? 22 A. I was just taking information, 23 scheduling appointments, I didn't sell the 24 City of Akron other than any questions they 25 would ask, if I could answer them. I'd say I

14 1 liked living there, that would be one. 2 Q. And on all the trips that you went on 3 with the mayor, did you man one of these 4 booths? 5 A. Not every trip, every trip wasn't a 6 trade fair, but on every trip there was 7 usually some kind of volunteer capacity, I 8 can't say every one was. 9 Q. Were you paid for any of these? 10 A. No. 11 Q. Always volunteer? 12 A. Always volunteer. 13 Q. So if the mayor testified that he had 14 paid for some of your flights on his city 15 issued credit card, are you telling me that's 16 not accurate? 17 A. No, I'm telling you I was unaware of 18 it. I paid for all my trips but if another 19 association said they'd pay for it, not the 20 city, so... 21 Q. So as far as you're aware, either you 22 paid for every trip or some other association 23 paid for it but not the city? 24 A. Correct. 25 Q. You were never aware of the city	16 1 of the trip, I honestly can't. 2 Q. You don't recall which trip an 3 association paid for your travel? 4 MS. FORFIA: I'm going to object 5 at this point, as you're aware we have a 6 pending motion for a protective order, the 7 objection still stands with respect to what 8 was raised in the protective order. 9 You're awfully far afield for a 10 public records case, the question in this 11 case is what records did your client ask for 12 and what did he get. 13 MR. PERLMUTER: Well, as my 14 response, it's difficult to determine what 15 was there, what's not there, and that's what 16 we're here for today, to figure out what 17 should be there that's not there, that's part 18 of what we're here for today. 19 MS. FORFIA: I'd just ask that you 20 stick to the basis. 21 MR. PERLMUTER: I'm trying to. 22 BY MR. PERLMUTER: 23 Q. Did you ever fly first class on any 24 of the trips that you took with the mayor? 25 A. No, not to my knowledge.
15 1 paying for tickets of yours? 2 A. No. 3 Q. Did you ever have any discussion with 4 the mayor about payment of these tickets? 5 MS. NORRIS: Well -- 6 THE WITNESS: No, other than if an 7 association offered to pay for it or if I had 8 to pay for it we obviously would discuss 9 that, if I could go based on my financial 10 situation because I had to pay for it. 11 MR. PERLMUTER: Counsel? 12 MS. NORRIS: Well, your question 13 was a little confusing and then in my mind I 14 was, okay, I understand what you're trying to 15 say, what your question was. 16 MR. PERLMUTER: Okay. 17 BY MR. PERLMUTER: 18 Q. When one of these associations would 19 pay for your ticket, what sort of 20 association? 21 A. It wasn't very often, I think it was 22 one time an association paid for it and I 23 have all the records of that. 24 Q. What trip was that? 25 A. Really I cannot remember the details	17 1 Q. Did you ever see the mayor drink 2 alcohol on any trips that you took with him? 3 A. Yeah, he drank alcohol, but he was 4 always meticulous in making sure, because I 5 believe this is what he would tell people, 6 that there was city policy that you couldn't 7 buy alcohol on a city credit card, so at the 8 dinners I was attending he would actually ask 9 for a bill for alcohol and a bill for the 10 meal. 11 Q. What would he do when he would get 12 those bills with the receipts? 13 A. I don't know what he did with the 14 receipts, I just know he asked for separate 15 checks. 16 Q. So do you recall when you went to 17 various events with the mayor during his 18 travels and he would get receipts what he did 19 with them? 20 A. I thought he kept them in two 21 separate bags but I don't know what he did 22 with them after he did that. 23 Q. Okay. 24 MS. NORRIS: Are you talking 25 credit card receipts or what kind of

18 1 receipts, so we aren't confused? You said 2 receipts, credit card receipts, separate 3 receipts, something signed by the proprietor, 4 what kind of receipts are you asking her did 5 she observe? 6 BY MR. PERLMUTER: 7 Q. Any receipts, credit card receipts or 8 other? 9 A. The only thing I really noticed was 10 him asking for separate checks. 11 Q. And putting them in a bag? 12 A. Or keeping them for the records I 13 think, I don't know, I didn't have anything 14 to do with that end of it. 15 Q. And you never had any conversation as 16 far as you can recall with the mayor 17 regarding the travel expenses, payment of 18 your travel expenses? 19 A. No, I said we did discuss it, each 20 trip, because I had to determine if I could 21 afford to go, so yes, we discussed it. 22 Q. Okay. 23 A. But never, never about the city ever 24 paying for it. Whenever I did stuff with the 25 city it was as a volunteer, not getting paid	20 1 Q. What is that? 2 A. An organization that he's affiliated 3 with through the the U.S. Council of Mayors, 4 because he was the president of the 5 organization, I believe that's the one, he 6 had several different organizations he 7 traveled for, the U.S. Council of Mayors when 8 he was president and Mayors for Peace, and 9 then obviously the City of Akron, so I cannot 10 remember for sure which one it is but I 11 believe it was that. 12 Q. Do you know about how long the 13 conference lasted? 14 A. I don't remember. 15 Q. Did you volunteer at that conference? 16 A. I don't remember that one 17 specifically. 18 Q. Do you know what specifically Mayor 19 Plusquellic did during that conference? 20 A. I don't remember that one for sure. 21 I mean I don't remember, I know he always, it 22 was either a trade show, those kinds of 23 things, meetings the entire conference that 24 he attended and did presentations, which then 25 I would actually go and sit through the
19 1 for it. 2 Q. That's for hotels, everything? 3 A. Yes, flights, food, everything. 4 Q. What about hotels? 5 A. We stayed together in the same room. 6 And actually we made sure, and Don was very 7 good about this because we didn't want this 8 kind of issue, the one time that I can recall 9 that it was a different rate if you had one 10 person or two people, it was overseas and I 11 can't remember which trip but we paid the 12 difference that it cost per night to have 13 another person in the room. 14 Q. When you say we, what do you mean? 15 A. Our finances were together. 16 Q. So your personal finances? 17 A. That's correct. 18 Q. Okay. So let me just ask about a few 19 individual trips, do you remember going to 20 Manchester, England with Mayor Plusquellic in 21 2006? 22 A. I do. 23 Q. What was the purpose of that trip? 24 A. I believe Mayors for Peace, I'm not 25 sure.	21 1 presentations and take photographs and things 2 so he could write his update. 3 MS. NORRIS: I'm going to enter an 4 objection here, this is going to be the first 5 time and only time, we need to stay focused 6 on your complaint. 7 MR. PERLMUTER: That's what I'm 8 doing. 9 MS. NORRIS: And what he was doing 10 over there has nothing to do with the 11 receipts or records that you're looking for 12 from the City of Akron. 13 MR. PERLMUTER: Sure it does. 14 MS. NORRIS: How so? 15 MR. PERLMUTER: Because sometimes 16 what he was doing over there generated 17 receipts or travel. 18 MS. NORRIS: You asked what was he 19 doing there, you got whatever receipts you 20 had from them, your questions to her have to 21 be about the claim and discovering receipts. 22 So either you ask questions 23 directed to her about whether she has 24 receipts or knows if there are receipts or, 25 just as Attorney Forfia said, you're starting

22 1 to move into a direction that we're going to 2 shut it down. Does she have city receipts, 3 that would be a good question, that's what 4 you're looking for. 5 BY MR. PERLMUTER: 6 Q. Well, you don't have any city 7 receipts, do you? 8 A. I do not. 9 Q. These questions are all calculated to 10 discover city receipts, travel documents, I 11 don't know, you're not here to represent the 12 City of Akron, are you? 13 MS. NORRIS: I'm here to represent 14 my client, you're here looking for receipts 15 and you have yet to ask her if she has 16 receipts for anything having to do with the 17 complaint. 18 MR. PERLMUTER: I just asked her. 19 MS. NORRIS: There you go, after 20 my prompting, so we'll keep moving along but 21 shorten the leash here. 22 BY MR. PERLMUTER: 23 Q. Okay. How long did you say that the 24 conference was on this trip? 25 A. I told you I didn't remember.	24 1 slide show, I can't remember. 2 Q. I apologize, I don't mean to ask you 3 questions more than once, I just don't have a 4 perfect memory so I need to clarify. Do you 5 recall going to Ankara, Turkey, with the 6 mayor? 7 A. Yes. 8 Q. What was the nature of that trip? 9 A. I believe it was the Globalization 10 Conference. 11 Q. Okay. And -- 12 A. I believe that was the title. 13 Q. And what was the mayor doing during 14 that trip? And when I ask, I mean specific 15 to the City of Akron, what he was there for 16 for the City of Akron, I don't want to know 17 necessarily every last thing the mayor did 18 during the trip but City of Akron business? 19 A. I do not recall any details of that 20 trip other than there was a conference. 21 Q. Okay. Do you recall anything about 22 the airfare with respect to that trip? 23 A. That was a trip that I was told the 24 association was going to pay for because 25 that's what I was told, I didn't know
23 1 Q. Okay. And were you -- do you recall 2 the mayor renting a vehicle while you were 3 over there? 4 A. I don't remember, no. 5 Q. That would probably stick out in your 6 memory because you'd be driving on the other 7 side of the road? 8 A. Well, we traveled, we rented cars 9 before, I don't recall one in particular. 10 Q. I would think that England might 11 stick out in your mind because of that, 12 right? 13 A. No. 14 Q. So you may have rented a car in 15 England, you just don't remember? 16 A. I don't remember. I would have 17 ridden in a car regardless whether we rented 18 one or not, so it wouldn't stick out in my 19 mind. 20 Q. Do you recall attending the 21 conference? 22 A. I stated twice now, I don't remember 23 what the conference was so I don't remember 24 in what capacity, what we did, if it was one 25 that I went and was at the presentation or	25 1 anything else. 2 Q. So that was one you were talking 3 about earlier? 4 A. Yes. 5 Q. Do you know what association? 6 A. I think it was the Globalization. 7 Q. Do you know if they actually did pay 8 for it? 9 A. Well, I saw in the newspaper they 10 didn't, I didn't remember that but I know 11 that there was an issue, I mean we did travel 12 on several trips, I remember there was an 13 issue and we had to reimburse them, that's 14 the only reason I remember, I don't recall 15 the details. 16 Q. Do you know, did you go on a trip 17 afterwards, after that? 18 A. Did I go on a trip after? 19 Q. Did you extend that trip? 20 A. We often did. 21 Q. Do you recall if you did on this one 22 or not? 23 A. I really can't. And if we did extend 24 the trip we paid for it completely 25 separately, which I do have records of.

26 1 Q. Can you recall going to Reno, Nevada, 2 in 2006 with the mayor? 3 A. I've never been to Reno so that one 4 is definitely not. 5 Q. Do you recall going to Israel with 6 the mayor in 2008? 7 A. I do. 8 Q. Who went on that trip? 9 A. I don't remember which trip it was, 10 I've been to Israel more than once. 11 Q. More than once with the mayor? 12 A. That's correct. 13 Q. How many times? 14 A. I believe three. 15 Q. Was it always for the same 16 conference? 17 A. I don't recall. I remember that two 18 were trade shows because I worked the trade 19 shows, the other one I cannot remember what 20 the conference was. 21 Q. Do you know the rough time frame of 22 those three conferences? 23 A. No. 24 Q. Can you recall anyone other than you 25 and the mayor from the City of Akron being	28 1 A. I remember all of them. 2 Q. So you went on a trip to all those 3 with the mayor? 4 A. Name them again? 5 Q. Amsterdam, Germany, Zurich, Italy and 6 Israel. 7 A. All in one trip? 8 Q. Yes. 9 A. That doesn't sound correct but I 10 can't say for sure. 11 Q. Have you been to all those places 12 with Mayor Plusquellic? 13 A. Read them to me again? 14 Q. Amsterdam, Germany, Zurich, Italy and 15 Israel. 16 A. I believe so, yes. 17 Q. But they don't seem to be on one trip 18 as far as you recall? 19 A. I don't think so. 20 Q. Do you recall if those were city 21 trips? 22 A. I don't remember. 23 Q. Do you remember in the January 2008 24 time frame, December '07, January '08 time 25 frame going to Miami, Florida and then D.C.
27 1 there on the trips? 2 A. As I said already, Bob Bowman was 3 there, there was one with an entire 4 delegation from Akron, Joe Kampher, that's 5 when they did that incubator with Israel so 6 several business community leaders and city 7 employees. 8 Q. Any other? 9 A. Any other? 10 Q. City employees on any of these trips? 11 A. Bob Bowman, Marco Sommerville, I 12 can't remember. 13 Q. And you don't, can you recall which 14 trips specifically they were on? 15 A. No. 16 Q. Did you ever go to France with Mayor 17 Plusquellic on city business? 18 A. I did go to France with the mayor and 19 I do not recall if it was a conference, the 20 U.S. Council of Mayors or for the City of 21 Akron. 22 Q. Okay. Did you go to, can you recall 23 in the October-November '08 time frame going 24 to Amsterdam, Germany, Zurich, Italy and 25 Israel?	29 1 with the mayor? 2 A. What time? 3 Q. December of '07 to January '08. 4 A. Yes. 5 Q. You went to Miami and then to 6 Washington with the mayor? 7 A. I can't say for sure I went to Miami, 8 I don't remember, the only thing I know is I 9 was in D.C. because that was the inauguration 10 I believe, is that correct, '08? 11 Q. No. 12 A. Then I don't remember. 13 Q. A trip where you went from Miami to 14 D.C. though? 15 A. I have no idea. 16 Q. Do you recall an April '08 trip to 17 Munich, did you discuss that one earlier? 18 A. No, I went to Munich, I don't recall 19 which year. 20 Q. Okay. You went with the mayor to 21 Munich? 22 A. Correct. 23 Q. Do you recall what the nature of that 24 trip was? 25 A. No.

30 1 Q. Do you know if there was a conference 2 there or anything like that? 3 A. All I know, I can't remember each 4 one, I don't have perfect memory just like 5 you, I know that on every trip it was either 6 a conference like one of those three that I 7 named, I think that's the majority of them 8 for the City of Akron. 9 And each time he worked through 10 the entire time and either did presentations 11 or hoped to bring work back to the City of 12 Akron by working literally fourteen hours a 13 day on that, that's what I recall. 14 Q. Do you recall who paid for the plane 15 tickets to Munich, your plane tickets? 16 A. I do not, I would assume I paid for 17 it. 18 Q. You don't have any recollection of 19 that being another one where an association 20 may have paid for it? 21 A. I don't believe any other times that 22 happened. I cannot say for sure, I have not 23 gone through my records, I know I always paid 24 or an association was paying but I think that 25 was only Turkey.	32 1 A. I believe that was the League of -- 2 or it was the -- where we had to go and work 3 and do a presentation to do the City of the 4 Year award or whatever that was, the exact 5 title I don't recall, but we were successful 6 and one presentation, again that was a trip I 7 paid for and volunteered to do the 8 presentation and paid for it. 9 Q. Okay, when you say you paid for it, 10 the tickets and everything while you were 11 down there? 12 A. What do you mean everything? I mean 13 yeah, I stayed in his hotel room. 14 Q. But everything else you paid for? 15 A. To the best of my knowledge, yes. 16 Q. In 2006 did you go with the mayor to 17 Santa Barbara and Alaska and China? And 18 maybe you've one been to one of those but the 19 records I have show it being one trip so I 20 don't know if you went on the whole trip? 21 A. I believe I did, yes. 22 Q. The whole trip? 23 A. I don't believe I went to China. 24 Q. What was the, do you recall what the 25 purpose of that trip was?
31 1 Q. Okay. Do you recall who else was on 2 the trip to Munich from Akron? 3 A. No. 4 Q. Did you go to Japan with the mayor in 5 2008? 6 A. I did. 7 Q. Do you recall what the nature of that 8 trip was? 9 A. I believe that was Mayors for Peace. 10 Again he presented, he actually was very 11 busy, it was a packed trip, I know he was 12 trying to recruit business but he was also 13 the first U.S. mayor to present a wreath at 14 Nagasaki and Hiroshima. 15 Q. Was it just Japan, was the trip just 16 Japan? 17 A. I believe so. 18 Q. Who else went on that trip? 19 A. Just he and I and people from the 20 U.S. Conference of Mayors to the best of my 21 memory. 22 Q. No one else from Akron? 23 A. I don't believe so. 24 Q. Can you recall any trips to Miami, 25 Florida, in the 2009 time frame?	33 1 A. Not for sure. I know Santa Barbara 2 was the U.S. Conference of Mayors, at least 3 to the best of my memory I think it was the 4 U.S. Conference of Mayors, and what was the 5 other one? 6 Q. Alaska? 7 A. I believe that was, I don't know, one 8 of the conferences, I can't remember, I do 9 recall doing his presentations there because 10 I remember taking pictures and they were 11 describing the issues, environmental issues, 12 and he was there presenting two days in a 13 row. 14 Q. Who else was there? 15 A. I don't recall. 16 Q. Anyone else from the City of Akron 17 that you can remember being there? 18 A. Nope. I'm not saying they weren't, I 19 just don't recall. I think that was the U.S. 20 Council of Mayors staff. 21 Q. Can you recall on any trips that you 22 had to Zurich who else from the City of Akron 23 was there? 24 A. I honestly don't recall Zurich so I'm 25 not sure.

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[illegible]

CERTIFICATE
STATE OF OHIO,)

) SS:
SUMMIT COUNTY.)

I, Michael G. Cotterman, a Notary Public within and for the State of Ohio, duly commissioned and qualified, do hereby certify that the within named witness, MELISSA K. BARNHART, was by me first duly sworn to testify the truth, the whole truth and nothing but the truth in the cause aforesaid; that the testimony then given by the witness was by me reduced to Stenotypy in the presence of said witness, afterwards transcribed upon a computer; and that the foregoing is a true and correct transcription of the testimony so given by the witness as aforesaid.

I do further certify that this deposition was taken at the time and place in the foregoing caption specified, and was completed without adjournment.

I do further certify that I am not a relative, employee of or attorney for any of the parties in the above-captioned action; I am not a relative or employee of an attorney of any of the parties in the above-captioned action; I am not financially interested in the action; and I am not, nor is the court reporting firm with which I am affiliated, under a contract as defined in Civil Rule 28(D).

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my seal of office at Akron, Ohio on this 6th day of September, 2011.

Michael G. Cotterman, a Notary
Public in and for the State of Ohio.

My Commission expires October 25, 2012.